

SENATE RECORD VOTE ANALYSIS

105th Congress
1st Session

Vote No. 63

May 8, 1997, 5:42 pm
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FY 97 SUPPLEMENTAL APPROPRIATIONS/Third Reading

SUBJECT: Supplemental Appropriations and Rescissions Act for fiscal year 1997 . . . S. 672. Stevens motion to proceed to third reading.

ACTION: MOTION AGREED TO, 78-22

SYNOPSIS: As amended, S. 672, the Supplemental Appropriations and Rescissions Act for fiscal year (FY) 1997, will provide emergency disaster funding, funding for continuing military operations in Bosnia and Iraq, and supplemental funding. Budget authority (BA) offsets also will be provided. Details are provided below.

Defense:

- a total of \$1.8 billion will be appropriated for the Department of Defense, of which approximately \$1.7 billion will be emergency appropriations to pay the continuing costs of the contingency operations in Bosnia and Southwest Asia (Iraq);
- the obligation of funds in Bosnia will be forbidden starting 60 days after the enactment of this Act unless the President submits a comprehensive report outlining all expenditures in Bosnia since December 1, 1995; and
- "none of the funds made available under this Act may be obligated or expended for operations or activities of the Armed Forces relating to Bosnia ground deployment after June 30, 1998" (this amendment is equivalent to a sense-of-the-Senate amendment because this Act does not provide any funds for deploying ground forces in Bosnia after that date).

Natural disasters and other emergencies:

- a total of \$5.6 billion in emergency disaster assistance will be provided to respond to the severe flooding in North and South Dakota and Minnesota, as well as to other natural disasters; that funding is the estimated amount needed to respond to disasters that have already occurred as well as the projected amount that will be needed to pay for other disasters that may yet occur in FY 1997;
- the Federal Emergency Management Administration (FEMA) will receive \$3.1 billion of that amount; \$2.5 billion of that amount will not be expended until the FEMA Director submits his legislative proposal to control rapidly escalating disaster relief costs (those costs have grown 54 percent over the previous 5 years);

(See other side)

YEAS (78)				NAYS (22)		NOT VOTING (0)	
Republican (45 or 82%)		Democrats (33 or 73%)		Republicans (10 or 18%)	Democrats (12 or 27%)	Republicans (0)	Democrats (0)
Abraham	Hutchinson	Akaka	Inouye	Faircloth	Byrd		
Allard	Hutchison	Baucus	Johnson	Gramm	Dodd		
Ashcroft	Inhofe	Biden	Kennedy	Gregg	Durbin		
Bennett	Jeffords	Bingaman	Kerrey	Hagel	Feingold		
Bond	Kempthorne	Boxer	Kerry	Helms	Graham		
Brownback	Lott	Breaux	Landrieu	Kyl	Kohl		
Burns	Lugar	Bryan	Leahy	Nickles	Lautenberg		
Campbell	Mack	Bumpers	Moynihan	Santorum	Levin		
Chafee	McCain	Cleland	Murray	Sessions	Lieberman		
Coats	McConnell	Conrad	Reed	Smith, Bob	Mikulski		
Cochran	Murkowski	Daschle	Reid		Moseley-Braun		
Collins	Roberts	Dorgan	Robb		Sarbanes		
Coverdell	Roth	Feinstein	Rockefeller				
Craig	Shelby	Ford	Torricelli				
D'Amato	Smith, Gordon	Glenn	Wellstone				
DeWine	Snowe	Harkin	Wyden				
Domenici	Specter	Hollings					
Enzi	Stevens						
Frist	Thomas						
Gorton	Thompson						
Grams	Thurmond						
Grassley	Warner						
Hatch							

EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

SYMBOLS:

- AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

- the Community Development Block Grant (CDBG) program will receive \$500 million of that amount;
- \$650 million of that \$5.6 billion will be provided to the Federal Highway Administration for emergency relief activities to repair highways damaged by floods; the \$100 million limit on obligations per State will be lifted temporarily for States with flood damage;
- \$547 million of that disaster relief will go to the Army Corps of Engineers, including \$390 million for flood control and coastal emergencies and \$137 million for repairs of damage caused by the winter flooding in the Pacific Northwest, California, Texas, and Ohio River Valley; and
- other agencies and programs that will receive a share of this funding include: the National Park Service (\$187 million); the Natural Resources Conservation Service (\$171 million); the U.S. Fish and Wildlife Service (\$104 million); the Emergency Conservation Program (\$77 million); and the Forest Service (\$68 million).

Non-Disaster Supplemental funding will include the following:

- \$58 million will be appropriated for the Women, Infants, and Children welfare program;
- \$100 million will be appropriated for payment to the United Nations (though this amount will not be obligated or expended unless specifically authorized);
- \$31.5 million will be appropriated for the District of Columbia, most of which will be to pay for school capital improvements and the balance of which will be to pay for a 10-percent pay raise for District police;
- the obligational ceiling for the Federal Highway Administration will be increased by \$933 million (increasing the ceiling does not add new BA; it allows more to be taken from the highway trust fund; outlays, however, increase); part of that amount will correct a prior-year transportation funding error and the balance will be distributed to States receiving less transportation funding than they did in FY 1996 and to States that would have received more money this year if the prior-year mistake had not been discovered and corrected (see vote No. 60 for related debate);
- Mandatory spending on veterans' benefits will be increased \$753 million;
- aliens eligibility for Supplemental Security Income (SSI) welfare benefits will be extended temporarily (this provision was adopted as a substitute for a \$125 million block grant; its \$240 million cost will be financed by rescinding \$585 million from unused BA from a welfare job training program; see vote No. 58); and
- \$198 million in delayed obligations will be provided for additional title I grants to educational agencies in poorer States that lost funding under the new title 1 formula.

Offsets:

- BA from defense accounts will be rescinded to offset the new defense spending; the rescission of that BA will also result in defense outlay reductions that will more than offset the outlays that will come from that new BA (though in the first 2 years defense outlays will increase);
- \$5.4 billion in BA will be rescinded from nondefense discretionary accounts; \$3.65 billion of that amount will come from a rescission of unobligated and unexpended section 8 housing reserves; the Department of Housing and Urban Development (HUD) recently announced that it had discovered it had \$5.8 billion of such section 8 reserves; the Appropriations Committee noted that it was concerned that HUD mysteriously discovered that it had these billions of dollars; the section 8 program, which provides housing to 3 million families, faces a crisis in the next few years because contract renewals have been steadily shortened in recent years; the result is that both old long-term contracts and new short-term contracts are now coming up for renewal in the same years; for FY 1997, \$3.6 billion was necessary to renew expiring contracts; for 1998, \$10.2 in BA will be needed; that amount will rise annually to 2002, when \$16.4 billion BA will be needed;
- for FY 1997, the Congressional Budget Office scores the bill as increasing BA by a net of \$456 million and as increasing outlays (and thus the deficit) by a net of \$1.25 billion; for all years, it scores the bill as increasing BA by \$294 million and as increasing outlays by a net of \$7.158 billion (see vote No. 62 for related debate).

Miscellaneous provisions include the following:

- for any regular appropriations bills for FY 1998 that are not passed by October 1, 1997, continuing appropriations at 100 percent of their FY 1997 funding levels will be provided (see vote No. 61 for related debate);
- the Interior Department's recently announced policy on rights-of-way across Federal lands will be repealed, and the Interior Department will be forbidden to issue any rules, regulations, policies, statements, or directives on any such rights-of-way unless given explicit permission by statute (see vote No. 59);
- formal consultation and conferencing requirements under the Endangered Species Act (ESA) will be deferrable by a Federal agency that is repairing a flood control project, facility, or structure, if such deferral is necessary to respond to an imminent threat to human lives and property as a result of damage that occurred in 1996 or 1997; after the threat has abated, any ESA reasonable and prudent measures that are ordered will be related both in nature and extent to the effect of the repairs;
- no "irreversible" plans to use sampling in the next census will be adopted;
- the Internal Revenue Service will be barred from imposing certain new penalties on small businesses; and
- certain banking regulations will be eased to speed recovery in flood-stricken areas (see vote No. 56).

Senator Stevens moved to advance the bill to its third reading. Generally, those favoring the motion favored the bill; those

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opposing the motion opposed the bill.

NOTE: Appropriations bills constitutionally must originate in the House. The House had not passed its version of the supplemental bill before the Senate finished consideration of S. 672. Therefore, the Senate voted on a Stevens motion to advance S. 672 to its third reading, and then by unanimous consent set the bill aside until such time as the House passed its bill and sent it to the Senate, at which time the text of the Senate bill would be substituted for the text of the House bill and the House bill, as amended, would be passed by the Senate.

Those favoring the motion to advance to third reading contended:

The main purpose of this Act is to get disaster relief to the Dakotas and Minnesota. Those States have been struck by enormous floods. Additionally, the bill includes funding to pay for other disasters, funding for continuing military operations in Bosnia and Iraq, an increase in veterans' benefits, and an increase in the highway obligational ceiling. Though offsets are not required for emergency supplemental appropriations bills, it is certainly better to provide them if at all possible rather than increasing the deficit. We are therefore especially pleased to note that budget authority will be rescinded. Some Senators have complained that outlays will not be fully offset as well; we believe they should be happy with the progress that is being made in this bill. Until Republicans took control of Congress, no effort was made to rescind budget authority, and very little budget authority ever went unused. This bill may not be as fiscally prudent as some of our colleagues may wish, but it is much more responsible than emergency bills from prior years. Another key feature of this bill is that it contains a provision to guarantee the Government will not be shut down: in the event that Congress and the President cannot reach a decision on spending bills, funding will continue at last year's levels. President Clinton, unfortunately, has said he will veto the bill because of this provision. Other key provisions include a prohibition on the Secretary of Interior trying to work his way around a legislative prohibition on rights-of-way regulations by issuing a policy on rights-of-way instead, and a compromise provision that will make sure that Endangered Species Act requirements do not delay needed repairs to prevent further flooding. Overall, we are pleased with the provisions of this bill, and urge our colleagues to give it their support.

Those opposing the motion to advance the bill to third reading contended:

Argument 1:

This bill contains many laudable features, and we are wholly supportive of sending disaster aid as quickly as possible. However, we cannot vote for it because of the objectionable riders that have been attached to it. The most objectionable of those riders is the provision to prevent a future Government shutdown, for reasons we have already explained (see vote No. 61). Our expectation is that this bill will be passed, it will be vetoed, and then a new bill will be enacted without the riders. All this unfortunate exercise will accomplish is a delay in the provision of greatly needed disaster aid. Our colleagues are putting us in this bind by insisting on the shutdown provision; through no fault of our own, we must vote against this bill.

Argument 2:

In the first spending bill we have been asked to consider this Congress, we are being asked to increase the deficit by more than \$1 billion this year and by more than a projected \$7 billion over the next several years. What happened to the Republican Revolution? This behavior sounds like business as usual to us. We will not be party to it. We urge the rejection of this bill.